

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**JAMES MARONEY AND ANGELA
MARONEY**

vs.

SEMA CONSTRUCTION, INC.

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Civil Action No. 3:21-cv-428

AGREED AMENDED MOTION FOR LEAVE TO EXTEND EXPERT DEADLINE

The parties have conferenced further and have agreed on the following and seek the Courts approval. Plaintiff's James and Angela Maroney and Defendant SEMA Construction, Inc. file this Agreed Amended Motion for Leave and ask this court to expand their expert designation deadlines and discovery deadline. No trial continuance is needed.

REASON FOR REQUEST

The Court's Order signed July 9, 2021, established a deadline of August 27, 2021, for Plaintiff to designate their experts and September 27, 2021, for Defendant SEMA Construction to designate its experts. Plaintiffs requested the deposition of SEMA Construction's corporate representative(s) on August 6, 2021. At this time, it was determined that more testimony was needed, and that specifically, Andy Shurer was a witness that needed to be deposed. Andy Shurer is a key eyewitness to the case and has knowledge of relevant facts that are central to the case.

Plaintiff requested dates when Andy Shurer would be available. Defendant provided September 15, 2021; over two weeks after Plaintiff's deadline to designate experts. Plaintiff noticed the depo for the day provided. However, Plaintiffs' experts need time to read and analyze the deposition transcript of Mr. Shurer in order to provide full and complete opinions and place them into their reports.

The parties are seeking a 30-day extension of the current expert designation deadlines, and an extension on the discovery deadline so that that Plaintiff's liability expert can review the testimony of Andy Shurer before producing his report. As such, the parties are asking for an extension of time to produce the report of J. David Gardner to September 21, 2021, and an extension of Defendants expert designation deadline to October 21, 2021. And, to extend the discovery deadline from its current setting of October 1, 2021 to December 22, 2021; the deadline for Dispositive Motions its current setting of October 29, 2021 to December 22, 2021; The deadline for Expert Objections its current setting of October 29, 2021 to December 22, 2021; and the deadline for pre-trial materials its current setting of January 3, 2022 to January 10, 2022. No continuance of a trial date is needed. Mediation is currently set for November 29, 2021, and Trial is currently set for the three-week docket beginning February 1, 2022, so the ultimate resolution of this matter will not be delayed

Respectfully Submitted,

By: /s/ Hunt E. Bonneau

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on August 25, 2021, pursuant to the Texas Rules of Civil Procedure, to all counsel of record via e-file.

/s/ Hunt E. Bonneau
Hunt E. Bonneau

AGREED TO FORM:

/s/ Daniel Buechler
Daniel Buechler
Thompson Coe
Attorney for SEMA Construction, Inc.